



1645

PTO/SB/22 (10-00)

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## PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number (Optional)  
LEX-0152-USA

In re Application of Walke et al.

Application Number 09/818,990

Filed 3/27/2001

For Novel Human Muscle Proteins and Polynucleotides Encoding the Same (As amended)

Group Art Unit 1645

Examiner To Be Assigned

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate small-entity fee are as follows (check time period desired):

☒ Three months (37 CFR 1.17(a)(3))

\$ 490.00

☒ Applicant claims small entity status.☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-0892. I have enclosed a duplicate copy of this sheet.

I am the

☐ applicant/inventor☐ assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☐ attorney or agent of record.☒ attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). 41,866

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

November 4, 2004

Date

Signature

DAVID W. HABER  
REG. NO. 41,871

Lance K. Ishimoto

Typed or printed name

Customer # 24231

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 2 forms are submitted.

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/SB/21 (08-00)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	09/818,990	
	<b>Filing Date</b>	Mar 27, 2001	
	<b>First Named Inventor</b>	Walke, D. Wade	
	<b>Group Art Unit</b>	1652	
	<b>Examiner Name</b>	S. Swope	
<b>Total Number of Pages in This Submission</b>	3	<b>Attorney Docket Number</b>	LEX-0152-USA

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form (Original & Copy)	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	- Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<b>Remarks</b>	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

**Customer # 24231**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

<b>Firm or Individual name</b>	Lexicon Genetics Incorporated	
	Lance K. Ishimoto	Reg. No. 41,866
<b>Signature</b>	<i>Lance K. Ishimoto by David W. Hicker</i> DAVID W. HICKER REG. NO. 41,071	
<b>Date</b>	November 4, 2004	

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313 on this date: <b>November 4, 2004</b>			
<b>Typed or printed name</b>	Nancy Stacey		
<b>Signature</b>	<i>Nancy Stacey</i>	<b>Date</b>	November 4, 2004

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